

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

SCOTT D. LAWSON and STEVEN)

LAWSON,

)

Case No.: 2:07CV-356-MHT

)

Plaintiffs,

)

)

v.

)

)

SWIFT TRANSPORTATION and)

FREDRICK S. MARTIN, JR.,)

)

Defendants.)

JOINT MOTION TO AMEND THE UNIFORM SCHEDULING ORDER

COME NOW the Plaintiffs, **Scott D. Lawson** and **Steven Lawson**, and Defendants, **Swift Transportation** and **Fredrick S. Martin, Jr.**, by and through their respective attorneys, and move this Honorable Court to amend the Uniform Scheduling Order in the above-captioned case to extend by 120 days the remaining litigation deadlines, as well as the pre-trial conference and trial setting.¹ As grounds for said motion, the parties state as follows:

1. The Court's June 15, 2007 Scheduling Order sets down a deadline of

¹ The parties are not seeking to extend any deadlines that have already passed.

February 1, 2008 for discovery. The Order also specifies a May 19, 2008 pre-trial conference, as well as a trial setting during the term of Court commencing on June 23, 2008.

2. Plaintiff Steven Lawson is to undergo hand surgery in the coming weeks for damage he alleges to have received in the subject accident. The parties cannot evaluate Mr. Lawson's alleged compensatory damages until he undergoes this surgery.

3. The parties intend to engage in settlement negotiations, through mediation or otherwise, as soon as information as to Plaintiff Steven Lawson's claimed special damages is available, and have already begun preliminary discussions regarding the possibility of settlement.

4. The attorney for the Plaintiffs and the attorney for the Defendants are in agreement and in support of this motion.

5. The first Montgomery term of court subsequent to the moved-for 120-day extension will commence on December 1, 2008. Accordingly, the parties move that the pre-trial conference be reset to October 27, 2008, or to a date thereabouts convenient for the Court.

WHEREFORE, PREMISES CONSIDERED, the parties respectfully request that this Court amend the Uniform Scheduling Order to extend the discovery

deadline by 120 days to May 31, 2008, and to reset the pre-trial conference to October 27, 2008 and trial to the term of court commencing on December 1, 2008.

/s/ R. Matt Glover

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ORAL ARGUMENT NOT REQUESTED.